

COMMITTEE AMENDMENT FORM

DATE: 06/27/ 07

COMMITTEE ZONING PAGE NUM. (S)

ORDINANCE I. D. #07-O-0261 SECTION (S)

RESOLUTION I. D. #07-R- PARA.

AMENDS THE LEGISLATION BY ADDING TWO (2)
CONDITIONS ONE OF WHICH IS A SITE PLAN DATED RECEIVED BY THE
BUREAU OF PLANNING 1/04/07.

AMENDMENT DONE BY COUNCIL STAFF 06/27/07

City Council
Atlanta, Georgia

07-O-0261

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-07-01
Date Filed: 1-4-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1450 Ralph David Abernathy Boulevard, S.W.**, be changed from the R-4 (Single-Family Residential) District to the C-1-C (Community Business-Conditional), District, to wit:

ALL THAT TRACT or parcel of land lying and being in Land Lot 140, 14th District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-07-01 for 1450 Ralph David Abernathy


1. Site plan titled "As-Built Survey Plan for 1450 Ralph David Abernathy Blvd." stamped received by the Bureau of Planning on 1/4/07.
2. The following uses are prohibited:
 - Banks, savings and loan associations, and similar financial institutions.
 - Business or commercial schools.
 - Child care centers, kindergartens and special schools.
 - Clubs and lodges.
 - Commercial greenhouses.
 - Commercial recreation establishments, including bowling alleys, theaters, convention halls, places of assembly, and similar uses, with primary activities conducted within fully enclosed buildings. Pool halls, billiard parlors, amusement arcades and game rooms are allowed only by special use permits.
 - Eating and drinking establishments.
 - Institutions of higher learning, including colleges and universities.
 - Laundry and dry cleaning, collection stations or plants; limited to no more than 5,000 square feet floor area; laundry and dry cleaning establishments where equipment is operated by customers.
 - Multifamily dwellings, two-family dwellings and single-family dwellings.
 - Parking structures and lots, other than park-for-hire facilities.
 - Professional or personal service establishments, but not hiring halls.
 - Repair establishments for home appliances, bicycles, lawn mowers, shoes, clocks and similar articles.
 - Sales and leasing agencies for new passenger automobiles, bicycles, mopeds, and commercial vehicles not exceeding one ton in rated capacity, selling, servicing and repairing new vehicles and dealing in the disposal, servicing or repairing of used vehicles in connection therewith and all located on the same site.
 - Security storage centers not exceeding 7,500 square feet of floor area and having all pickup and delivery of items by passenger automobile or van.
 - Service stations and car washes.
 - Structures and uses requiring for operation of MARTA or a public utility but not including uses involving storage, train yards, warehousing, switching or maintenance shop as the primary purpose.

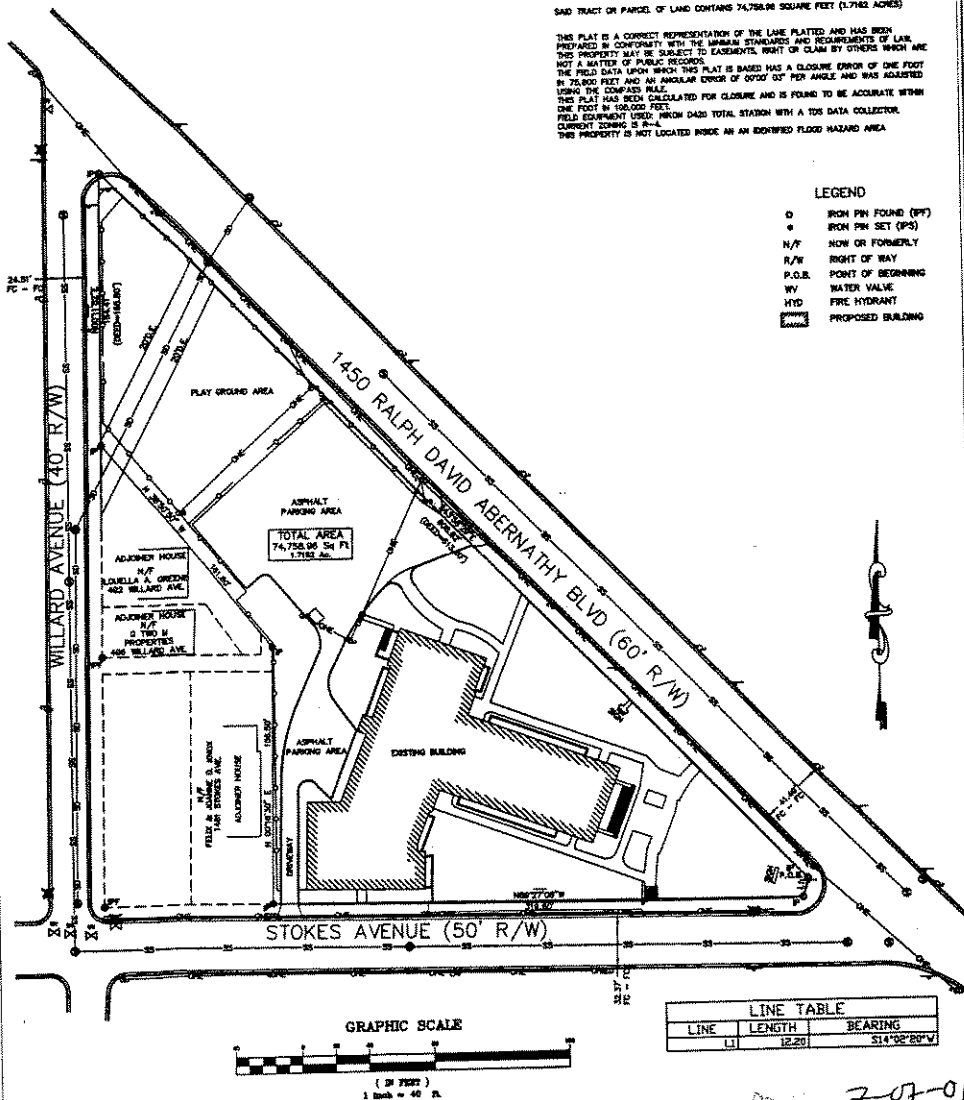
ALL THAT TRACT OR PARCELS OF LAND LING AND BEING IN LAND LOT 140 OF THE 14TH DISTRICT, FULTON COUNTY, GEORGIA, ALSO KNOWN AS NO. 1450 RALPH DAVID ABERNATHY BLVD. AND DESCRIBED AS FOLLOWS:
 BEGINNING AT A POINT FROM THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF RALPH DAVID ABERNATHY BLVD. WITH THE NORTHERLY RIGHT-OF-WAY LINE OF STOKES AVENUE THENCE:

S14°02'20"W, A DISTANCE OF 12.20 FEET TO A POINT THENCE:
 N89°27'00"W, A DISTANCE OF 29.50 FEET TO A POINT THENCE:
 N00°16'30"E, A DISTANCE OF 156.50 FEET TO A POINT THENCE:
 N38°50'20"W, A DISTANCE OF 151.80 FEET TO A POINT THENCE:
 N00°11'30"E, A DISTANCE OF 184.41 FEET TO A POINT THENCE:
 S43°39'20"E, A DISTANCE OF 808.82 FEET TO A POINT AND THE POINT OF BEGINNING.
 SAID TRACT OR PARCELS OF LAND CONTAINS 74,758.96 SQUARE FEET (1.7162 ACRES)

THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW. THIS PROPERTY MAY BE SUBJECT TO EASEMENTS, RIGHT OF CLAM BY OTHERS WHICH ARE NOT A MATTER OF PUBLIC RECORD.
 IN 75,800 FEET AND AN ANGULAR ERROR OF 00°00'03" PER ANGLE AND WAS ADJUSTED USING THE COMPASS RULE.
 THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 150,000 FEET.
 FIELD EQUIPMENT USED: NIPON DASH TOTAL STATION WITH A TDS DATA COLLECTOR.
 CURRENT ZONING IS R-4.
 THIS PROPERTY IS NOT LOCATED INSIDE AN IDENTIFIED FLOOD HAZARD AREA.

LEGEND

○ IRON PIN FOUND (IPF)
 * IRON PIN SET (IPS)
 N/F NOW OR FORMERLY
 R/W RIGHT OF WAY
 P.O.B. POINT OF BEGINNING
 W/V WATER VALVE
 HYD FIRE HYDRANT
 PROPOSED BUILDING



HORACE A. ALLEYNE
 & ASSOCIATES
 ENGINEER/SURVEYOR

3411 Bachelor Street
 East Point
 GEORGIA 30344
 (404) 584-9954
 FAX (404) 584-5884
 e-mail: halgermon@comcast.net

PROJECT
 AS-BUILT
 SURVEY PLAN
 FOR
 1450 RALPH DAVID
 ABERNATHY BLVD

PARCEL ID.#
 1401400007070

CLIENT
 RAMON TOOKES
 ONESIMUS
 PROPERTIES, LLC
 1485 RALPH DAVID
 ABERNATHY BLVD
 ATLANTA, GA. 30310
 (404) 756-2599

ENGINEER / SURVEYOR



LAND LOTS
 LAND LOT 140

DISTRICTED
 14TH

CITY
 ATLANTA

COUNTY
 FULTON

REVISIONS

DATE 12/24/06

JOB NUMBER 122408-1P

DRAWN R-4

SCALE 1" = 40'

DRAWN BY JS

CHECKED BY

TITLE
 AS-BUILT
 SURVEY PLAN

SHEET 1 OF 1

Z-07-01

RCS# 936
2/19/07
3:22 PM

Atlanta City Council

REGULAR SESSION

MULTIPLE

07-O-0257,0258,0259,0260,~~0261~~,0262,0263,
07-O-0264,0265,0266,0267,0268,0269
REFER ZRB/ZONE

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 2

Y Smith	B Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	B Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

MULTIPLE

City Council
Atlanta, Georgia

07-0 -0261

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SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

LEGAL SURVEY - 1450 RALPH DAVID
ABERNATHY

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) and other good and valuable consideration delivered to Grantor by Grantee at and before the execution, sealing and delivery hereof, the receipt and sufficiency of which is hereby acknowledged, the Grantor has and hereby does remise, release, convey and forever quitclaim unto Grantee and the heirs, legal representatives, successors and assigns of Grantee, all that tract or parcel of land lying and being in Land Lot 140 of the 14th district of Fulton County, Georgia, and being more particularly described as follows:

TRACT NO. 1: Beginning at an iron pin at the southwest corner of Gordon Street and Stokes Avenue; running thence northwest along the southwest side of Gordon Street, 613.2 feet to an iron pin at the southeast corner of Gordon Street and Willard Avenue; thence south along the east side of Willard Avenue, 165.8 feet to an iron pin; thence southeast at an interior angle of $140^{\circ}42'$, 161.6 feet to an iron pin; thence southwest at an interior angle of $253^{\circ}17'$, 4.5 feet to an iron pin; thence south at an interior angle of $146^{\circ}01'$, 152 feet to an iron pin on the north side of Stokes Avenue at a point 100 feet east from the northeast corner of said Stokes Avenue and Willard Avenue; thence east along the north side of Stokes Avenue, 319.6 feet to an iron pin; thence northeast along the western side of said Stokes Avenue where said Avenue turns northward to intersect with Gordon Street 12.2 feet to the iron pin first hereinabove mentioned at the southwest corner of Gordon Street and Stokes Avenue and the point of beginning, said description being according to a blue print of survey by Harold L. Bush, Civil Engineer.

TRACT NO. 2: Beginning at an iron pin found located in center of a closed alley, said alley located on the northeast side of Lot 14, Block "B," of Subdivision of Stokes Property, said point of beginning being on the east side of Willard Avenue, located 164.0 feet south of the southeast intersection of Willard Avenue and Gordon Street; running thence southeast along the center line of said closed alley, 149.0 feet to an iron pin placed; thence south, 12.7 feet to an iron pin placed; thence east, 15 feet more or less, to the northeast side of said Alley; thence northwest along the northeast side of said alley, 161.6 feet to the east side of Willard Avenue; thence south along the east side of Willard Avenue, 7.5 feet to the point of beginning.

2-07-01

